

Court of Appeals, Division One

Civil Appeal

1 CA-CV 19-0652

ABC v. FLOOD CONTROL

Appellate Case Information

Case Filed: 3-Oct-2019

Case Closed:

Dept/Composition

Department A

Hon. Randall M Howe

Hon. Kent E Cattani

Hon. Cynthia J Bailey

Side 1. ABC SAND AND ROCK COMPANY INC, Plaintiff/Appellant

(Litigant Group) ABC SAND AND ROCK COMPANY INC

• ABC Sand and Rock Company Inc

Attorneys for: Plaintiff/Appellant

Colin F Campbell, Esq. (AZ Bar No. 4955)

Meghan Grabel, Esq. (AZ Bar No. 21362)

Colin M Proksel, Esq. (AZ Bar No. 34133)

Joseph N Roth, Esq. (AZ Bar No. 25725)

Side 2. FLOOD CONTROL DISTRICT OF MARICOPA COUNTY, Defendant/Appellee

(Litigant Group) FLOOD CONTROL DISTRICT OF MARICOPA COUNTY

• Flood Control District of Maricopa County

Co-Counsel for: Defendant/Appellee

Stephen W Tully, Esq. (AZ Bar No. 14076)

Bradley L Dunn, Esq. (AZ Bar No. 28897)

Charles E Trullinger, III, Esq. (AZ Bar No. 18936)

CASE STATUS

Oct 20, 2020.....Under Advisement

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR LC2016-000324-001	Civil Non-Traffic		Michael W Kemp, Authoring Judge of Order		

CALENDAR

Tuesday MONTHLY COURT CASE CALENDAR

CV Cases

20-Oct-2020 Department A; VIDEOCONFERENCE

11:30 AM ABC SAND AND ROCK COMPANY INC..... 20 mins.

FLOOD CONTROL DISTRICT OF MARICOPA COUNTY..... 20 mins.

37 PROCEEDING ENTRIES

- 3-Oct-2019 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 09/05/19
- 3-Oct-2019 FILED: e-Record on Appeal:
Combined Minute Entries/Instruments
Transcripts: 08/30/2017 - Evidentiary Hearing Day 3 (Debra Price); 08/31/2017 - Evidentiary Hearing Day 4 (Chris Hwang)
- 3-Oct-2019 FILED: Additional record on appeal:
HD 08/28/2017 LIST# 3 9 10 11 15 20 22 28 29 31 86 87 90 100 101 102 103 104 105 107 118 121 122 123 124 126 129 130
131 132 133 134 135 136 137 138 140 141 142 143 144 145 146 147 149 150 151 152 153 154 155 156 157 161 162 163 164
165 166 167 168 169 170 174 177 178 180 181 184 186 187 191 196 202 203 205 207 208 210 223 224 225 244 246 282 283
284 306 327 335 341 346 351 359 360 361 362 363 364 365 366 367 368 369 370 377 394 397 398 399 401 403 405 408 409
411 412 414 415 416 417 419 420 421 422 423 in a Box
- 10-Oct-2019 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 21-Oct-2019 FILED: Notice of Appearance; Certificate of Service (Appellant)
- 25-Oct-2019 RECEIPT No.: 2019-01229 ; \$280.00, Authorization: #97022375055, Applied to: ABC SAND AND ROCK COMPANY INC - Class A Filing Fee (\$280.00) Paid for: Osborn Maledon PA - By nCourt LLC
- 30-Oct-2019 FILED: Case Management Statement; Courtesy copy of Maricopa County Superior Court Rule 54(c) Judgment filed on 08/07/2019 (Appellant)
- 1-Nov-2019 FILED: Notice of Filing Transcripts; Certificate of Service (Appellant)
- 1-Nov-2019 FILED: Reporter's Transcript - 10/26/2016 - Motion to Dismiss (Shannon Romo) (Appellant)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 19-0652****ABC v. FLOOD CONTROL****37 PROCEEDING ENTRIES**

10.	1-Nov-2019	FILED: Reporter's Transcript - 11/18/2016 - Order to Show Cause Return Hearing and Oral Argument (Frances M. Sanchez) (Appellant)
11.	1-Nov-2019	FILED: Reporter's Transcript - 03/17/2017 - Oral Argument (Alexander Reaves) (Appellant)
12.	1-Nov-2019	FILED: Reporter's Transcript - 08/03/2017 - Status Conference Hearing (Frances M. Sanchez) (Appellant)
13.	1-Nov-2019	FILED: Reporter's Transcript - 08/28/2017 - Evidentiary Hearing Day 1 (Jacquelyn Goldsmith) (Appellant)
14.	1-Nov-2019	FILED: Reporter's Transcript - 08/29/2017 - Evidentiary Hearing Day 2 (Christina Gmitterko) (Appellant)
15.	1-Nov-2019	FILED: Reporter's Transcript - 02/20/2018 - Evidentiary Hearing (Frances M. Sanchez) (Appellant)
16.	12-Nov-2019	FILED: Appellate Clerk Notice re: No Appellee's Fee; Appellant's Brief Due
17.	21-Nov-2019	FILED: Unopposed Motion for Procedural Order Extending Time to File Opening Brief; Certificate of Service (Appellant)
18.	22-Nov-2019	ORDERED: Unopposed Motion for Procedural Order Extending Time to File Opening Brief (Appellant) = GRANTED in part and extending the time to file the opening brief for 30 days to/including 01-08-2020. Melina Brill ProTem Judge - Author
19.	31-Dec-2019	FILED: Unopposed Motion for Procedural Order Extending Time to File Opening Brief (Second Request); Certificate of Service (Appellant)
20.	2-Jan-2020	ORDERED: Unopposed Motion for Procedural Order Extending Time to File Opening Brief (Second Request) (Appellant) = GRANTED. Due date EXTENDED from Wednesday, 01-08-2020 to Wednesday, 01-22-2020. Melina Brill ProTem Judge - Author
21.	22-Jan-2020	FILED: Request for Oral Argument; Certificate of Service (Appellant)
22.	22-Jan-2020	FILED: Plaintiff/Appellant's Combined Opening Brief and Appendix; Certificate of Compliance; Certificate of Service (Appellant)
23.	25-Feb-2020	FILED: Motion for Procedural Order for Extension of Time to File Answering Brief; Certificate of Service (Appellee)
24.	26-Feb-2020	ORDERED: Motion for Procedural Order for Extension of Time to File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Monday, 03-02-2020 to Wednesday, 04-01-2020. Melina Brill ProTem Judge - Author
25.	1-Apr-2020	FILED: Defendant/Appellee's Answering Brief; Defendant/Appellee's Certificate of Compliance; Defendant/Appellee's Certificate of Service (Appellee)
26.	14-Apr-2020	FILED: Unopposed Motion for Procedural Order Extending Time to File Reply Brief (First Request); Certificate of Service (Appellant)
27.	15-Apr-2020	ORDERED: Unopposed Motion for Procedural Order Extending Time to File Reply Brief (First Request) (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 04-21-2020 to Tuesday, 05-12-2020. Barbara Vidal Vaught ProTem Judge - Author
28.	1-May-2020	FILED: Appellee's Request for Oral Argument; Certificate of Service (Appellee)
29.	12-May-2020	FILED: Plaintiff/Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
30.	3-Jun-2020	ORDERED: Request for Oral Argument (Appellant) = GRANTED. FURTHER ORDERED: Appellee's Request for Oral Argument (Appellee) = GRANTED. Hon Peter B Swann - Author
31.	8-Jun-2020	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
32.	18-Jun-2020	FILED: Supplemented Superior Court e-Record with Revised Index of Record
33.	25-Aug-2020	CLNDR: MONTHLY COURT CASE CALENDAR, Department A, 10-20-20, 11:30 am, COURTROOM 2.
34.	15-Sep-2020	FILED: Notice of Oral Argument
35.	16-Sep-2020	FILED: Return Receipt for Notice of Oral Argument, signed by Stephen Tully on 09/15/2020 (Appellee)
36.	28-Sep-2020	ORDERED: Modifying oral argument scheduled on 10/20/2020, at 11:30am to be a video conference oral argument. Hon Randall M Howe - Author
37.	28-Sep-2020	FILED: Return Receipt for Notice of Oral Argument, signed by Joseph Roth on 09/28/2020 (Appellant)